

REMARKS

Claims 1-56, 58-90, and 92-93 were pending. Of these claims, claims 7, 51-56, and 85-90 were withdrawn from consideration. None of the claims has been amended.

Applicant respectfully notes that although the Examiner indicated consideration of seven Information Disclosure Statements, he did not indicate consideration of the Information Disclosure Statements that were received by the USPTO on February 24, 2004, February 14, 2005, and April 4, 2005. (The Examiner signed the April 4, 2005, PTO-1449 form but did not initial the reference.) On August 1, 2005, during a conversation with the undersigned attorney, the Examiner stated that the Information Disclosure Statement received on February 24, 2004, was missing from his files. In order to expedite prosecution of this application, Applicant has enclosed duplicate copies of all three Information Disclosure Statements and stamped postcards showing that they were received by the USPTO on these dates. **Applicant respectfully requests that the Examiner indicate consideration of the documents submitted with these Information Disclosure Statements by initialing the PTO-1449 forms submitted therewith, and attaching same to the next communication to Applicant.**

On March 3, 2005, Applicant submitted a declaration and appropriate attached exhibit according to 37 C.F.R. § 1.131 to overcome Sharma and Deianov. The Examiner stated that the evidence was insufficient to establish a reduction to practice. In response, Applicant submits a replacement declaration and appropriate attached exhibits according to 37 C.F.R. § 1.131 to overcome Sharma and Deianov.

Claims 1-6, 8-11, 37-46, 50, 58-59, 75-80, 84, and 92-93 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Sharma. Applicant respectfully traverses. The filing date of Sharma is February 11, 2000. Applicant's invention was conceived in the United States prior to

February 11, 2000, and diligence was present from prior to the effective date of Sharma (February 11, 2000) to the date of constructive reduction to practice (February 14, 2000). Therefore, Applicant submits a replacement declaration and appropriate attached exhibits according to 37 C.F.R. § 1.131 to overcome Sharma.

Claims 47-49 and 81-83 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sharma in view of Official Notice. Applicant respectfully traverses. These claims depend from their respective base claims, which are patentable over Sharma. In addition, these claims recite other features not included in their respective base claims. Thus, claims 47-49 and 81-83 are patentable over Sharma in view of Official Notice. Additionally, for the record, Applicant traverses the Examiner's assertions concerning the disclosure of Official Notice and the motivation to combine Sharma and Official Notice.

Claims 12-36 and 60-74 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Sharma in view of Deianov. Applicant respectfully traverses. The filing date of Deianov is February 4, 2000. Applicant's invention was conceived in the United States prior to February 4, 2000, and diligence was present from prior to the effective date of Deianov (February 4, 2000) to the date of constructive reduction to practice (February 14, 2000). Therefore, Applicant submits a replacement declaration and appropriate attached exhibits according to 37 C.F.R. § 1.131 to overcome Deianov.

Applicant respectfully requests consideration of the declaration and attached exhibits and a notice of allowance concerning pending claims 1-56, 58-90, and 92-93. If the Examiner believes that the declaration and attached exhibits are in any way insufficient to overcome Sharma and Deianov according to 37 C.F.R. § 1.131, Applicant respectfully requests that the Examiner contact the undersigned attorney by telephone to discuss the matter.

Favorable action is hereby solicited.

Respectfully submitted,

PAWAN GOYAL

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By: Sabra-Anne R. Truesdale

Sabra-Anne R. Truesdale

Reg. No. 55,687

Fenwick & West LLP

Silicon Valley Center

801 California Street

Mountain View, CA 94041

Tel.: (650) 335-7187

Fax.: (650) 938-5200